

PRINCE GEORGE'S COUNTY

EXCEPTION TO A ZONING REGULATION MAY BE GRANTED, THERE SHALL BE A PUBLIC HEARING THEREON BEFORE EITHER THE COUNCIL OR A ZONING HEARING EXAMINER, APPOINTED PURSUANT TO THE PROVISIONS OF THIS CHARTER. SAID HEARING MAY BE HELD ONLY UPON PUBLIC NOTICE OF THE TIME AND PLACE OF THE HEARING GIVEN AT LEAST THIRTY CALENDAR DAYS IMMEDIATELY PRECEDING THE HEARING.

(E) ALL APPLICATIONS IN A ZONING CASE, AND ANY AMENDMENTS THERETO, SHALL CONTAIN SPECIFIC ALLEGATIONS SETTING FORTH THE PRECISE LEGAL BASIS FOR, AND THE PUBLIC PURPOSE TO BE SERVED BY, THE GRANTING OF THE REQUEST. ALL APPLICATIONS MUST DISCLOSE THE NAMES AND ADDRESSES OF ALL PERSONS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY WHICH IS THE SUBJECT OF A ZONING CASE, INCLUDING SHAREHOLDERS OWNING MORE THAN FIVE PERCENT OF THE STOCK IN ANY CORPORATION HAVING SUCH INTEREST IN ANY LAND INVOLVED IN THE APPLICATION, EXCEPTING THOSE CORPORATIONS WHICH ARE LISTED AND REGULARLY TRADED ON A RECOGNIZED STOCK EXCHANGE.

(C) ALL PERSONS WHO APPEAR TO TESTIFY IN ANY ZONING CASE SHALL BE SWORN, AND REASONABLE CROSS-EXAMINATION OF WITNESSES SHALL BE PERMITTED.

(D) UPON REQUEST OF ANY PERSON OF RECORD, THE COUNCIL SHALL EMPLOY ITS SUBPOENA POWER TO COMPEL THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF RELEVANT BOOKS AND RECORDS. THE COUNCIL MAY EXCUSE A WITNESS FROM ATTENDANCE UPON A SHOWING BY THE WITNESS THAT THE PLACING OF SAID WITNESS UNDER SUBPOENA WAS FRIVOLOUS OR OPPRESSIVE.

(E) A COMPLETE TRANSCRIPT CONTAINING ALL RECORD EVIDENCE, INCLUDING EXHIBITS, SHALL BE PREPARED IN EACH ZONING CASE. THE RECORD IN ANY ZONING CASE SHALL INCLUDE A TECHNICAL STAFF REPORT, ALL COMMUNICATIONS TO ANY PUBLIC OFFICIAL OR AGENCY CONCERNING THE APPLICATION, A CURRENT LAND-USE INVENTORY, AND SPECIFIC FACTUAL AND STATISTICAL DATA FROM OFFICIAL SOURCES INDICATING THE IMPACT UPON PUBLIC FACILITIES BY THE REQUESTED ZONING MAP AMENDMENT OR SPECIAL EXCEPTION TO A ZONING REGULATION.

(F) THE BURDEN OF PROOF IN ANY ZONING CASE SHALL BE UPON THE APPLICANT. AFTER THE CLOSE OF AN EVIDENTIARY HEARING IN ANY ZONING CASE BEFORE EITHER THE COUNCIL OR THE ZONING HEARING EXAMINER, AS THE CASE MAY BE, SAID HEARING SHALL NOT THEREAFTER BE REOPENED FOR THE PURPOSE OF ADDUCING ADDITIONAL